

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

No. 1:23-cv-00108-LMB-JFA

DECLARATION OF ERIC HOCHBERGER

Pursuant to 28 U.S.C. § 1746, I, Eric Hochberger, declare the following:

1. I am the co-founder and CEO of non-party Mediavine (“Mediavine”). I submit this declaration in support of Non-Party Mediavine’s Memorandum of Law in Support of the Motion to Seal.

2. On September 22, 2023, on behalf of Mediavine, I sat for a deposition noticed by the Department of Justice and by Google, LLC, in connection with the above-captioned proceeding (the “Deposition”), pursuant to subpoenas dated August 18, 2023.

3. I understand that certain portions of my deposition transcript were designated as “Highly Confidential” and “Confidential” pursuant to the Protective Order entered in this Action; the designations were provided to all parties.

4. I also understand that a selection of pages from the transcript of the Deposition (the “Transcript”) have been attached as Exhibit 135 to Defendant Google’s Reply in Support of Its Motion for Summary Judgment (“Exhibit 135”). *See* Dkt. Nos. 702, 703.

5. I have reviewed the copy of Exhibit 135 made publicly available (*see* Dkt. No.

708), to which redactions have been applied, as well as the unredacted Transcript (*see* Dkt. No. 709).

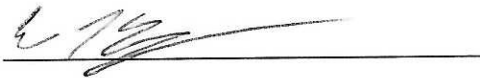
6. The portions of my transcript that are redacted in the public version of Exhibit 135 contain Mediavine's highly confidential information, including detailed financial information on its sources of revenue, amounts of revenue, and margins. This excerpted testimony is extremely sensitive commercial information, which Mediavine does not make available to the public. Disclosure of this information would cause Mediavine material and significant competitive and commercial harm.

I declare under penalty of perjury that the foregoing is true and correct.

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Dated: June 14, 2024

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eric Hochberger', is written over a horizontal line.

Eric Hochberger